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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,039	06/15/2000	Oikwan Tsang	E0902	9154

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EXAMINER

LE, DIEU MINH T

ART UNIT

PAPER NUMBER

2114

DATE MAILED: 05/18/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/595,039

Applicant(s)

TSANG ET AL.

Examiner

Dieu-Minh Le

Art Unit

2114

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to the amendment filed March 01, 2004 in application 09/595,039.
2. Claims 1-21 are again presented for examination, claims 22-28 have been added.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claim 1 is again rejected under 35 U.S.C. § 102(b) as being anticipated over Lidinsky et al. (US Patent 4,897,874 hereafter referred to as Lidinsky).

This rejection is being applied for the same reasons set forth in the previous Office Action paper number 5, paragraph 4 mailed January 28, 2004.

As per claim 1 see the previous office action for the teaching of Lidinsky.

Applicant asserts that Lindinsky failed to teach or suggest the following:

- A. network medium interface card.

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Examiner respectfully transverses Applicant's argument as follows:

A. First, it is not true that Lindinsky failed to teach, "network medium interface card."

Examiner would like to bring Applicant attention to Lidinsky's metropolitan area network (MAN) [abstract, col. 4, line 40] along with local area network (LAN) [col. 4, line 29], wide area network (WAN) [col. 4, line 34]. This network comprises of connectivity among user interface module (UIM), network interface module (NIM), HUB [fig. 2]. Lidinsky explicitly illustrates the Ethernet and FDDI interfaces [col. 6, lines 43-47], network ports [col. 6, line 23], circuit board for network application [col. 8, line 1]. It is so clear that the network medium interface card is clearly demonstrated in this network connectivity environment.

Second, Lidinsky further internal link (IL) [col. 10, line 25], external link (XL) [col. 10, line 16], switch [col. 9, line 53], internal link handler (ILH) [col. 30, line 61], external link handler (XLH) [col. 30, line 47], memory and interface module (MINT) [col. 30, line 5], interface to MAN [col. 46, line 64 through col. 47, line 62].

This is clearly shown that Lidinsky's teaching capabilities are corresponding to Applicant's invention.

5. Claims 1, 4-7, 10-16, 18-21 are again rejected under 35 U.S.C. § 102(b) as being anticipated over Hutchison et al. (US Patent 5,838,989 hereafter referred to as Hutchison).

This rejection is being applied for the same reasons set forth in the previous Office Action paper number 5, paragraph 5 mailed January 28, 2004.

As per claims 1,4-7, 10-16, and 18-21 see the previous office action for the teaching of Hutchison.

Applicant asserts that Hutchison failed to teach or suggest the following:

- A. a switchable connection that may be selectively configured to internally connect a pair of blocks to each other;
- B. PHYs and MACs are parts of the alternative connector/MAU combinations selected by the switch 56.
- C. testing operation and reconfiguring the interface such that a normally-internally-connected connection of the block is connected to an external interface.

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Examiner respectfully transverses Applicant's argument as follows:

A. First, it is not true that Hutchison failed to teach, "a switchable connection that may be selectively configured to internally connect a pair of blocks to each other."

Examiner would like to bring Applicant attention to Hutchison's switchable interface having any of a variety of communication media [abstract, fig. 3 and 6, col. 1, lines 18-23]. Hutchison explicitly teaches:

- an implementation of a single VLSI chip for AUI and 10BASE-T including items 92, 94, and 96 in one part [col. 11, lines 39-44].

This is clearly shown that Hutchinson can easily perform the switching connectivity internally of devices (i.e., a pair of blocks to each other) as claimed by Applicant.

Second, it is inherent and intuitively that Hutchison can demonstrate this internally connect a pair of blocks to each other feature because Hutchison's mux or select switch can perform either separate or connect together of transmitting or receiving devices as shown in fig. 6. In addition, the purpose

of the mux or switch is to allowing data to be combined or separated from multiple devices connected via a networking environment.

This is clearly shown that Hutchison's teaching capabilities are corresponding to Applicant's invention.

B. It is not true that Hutchison fails to teach "PHYs and MACs are parts of the alternative connector/MAU combinations selected by the switch 56."

Hutchison clearly addressed the alternative implementation of a single VLSI chip to implement functions for AUI and 10BASE-T including items 92, 94, and 96 devices as shown in fig. 6 [col. 11, lines 39-43]. By performing this implementation, the PHYs and MACs would be part of the total combination communication (i.e., transmitting/receiving data and signaling).

This is clearly shown that Hutchison's teaching capabilities are corresponding to Applicant's invention.

C. It is not true that Hutchison fails to teach "testing operation and reconfiguring the interface such that a

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normally-internally-connected connection of the block is connected to an external interface."

First, Hutchison explicitly taught the test operation (i.e., performance, etc...) capability by performing examining signal, determining operational mode, testing blocks of its pack transmission [col. 13, lines 30-64]. Hutchison further demonstrated the reconfiguration of network interface connectivity between or among internal and external interfaces [col. 13, lines 6-26]. Hutchison further addressed the autoconfiguration capability to enhancing the network test operation [col. 13, line 6].

Second, Hutchison explicitly illustrated the normally-internally-connected connection via the implementation of a single VLSI chip to implement functions for AUI and 10BASE-T including items 92, 94, and 96 devices as shown in fig. 6 [col. 11, lines 39-43].

This is clearly shown that Hutchison's teaching capabilities are corresponding to Applicant's invention.

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6. Claims 2-3, 8-9, and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable Hutchison et al. (US Patent 5,838,989 hereafter referred to as Hutchison) in view of Jeng (US Patent 5,892,768).

This rejection is being applied for the same reasons set forth in the previous Office Action paper number 5, paragraph 8 mailed January 28, 2004.

As per claims 2-3, 8-9 and 17 see the previous office action for the teaching of Hutchison in view of Jeng as well as the motivation and reason for combined.

As per claims 22-28:

These claims are similar to claims 1-11. The only minor different between claim 1 and claim 22 are that claim 22 includes "a media access controller (MAC)" and "a physical layer device (PHY)" limitations. However, these limitations are covered in the dependent claims 4 and 5. Therefore, these claims are also rejected under the same rationale applied against claims 1-11. **In addition, all of the limitations have been noted in the rejection as per claims 1-11.**

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

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A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dieu-Minh Le whose telephone number is (703) 305-9408. The examiner can normally be reached on Monday-Thursday from 8:30 AM to 6:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel, can be reached on (703)305-9713. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.


DIEU-MINH THAI LE
PRIMARY EXAMINER
ART UNIT 2114

DML

5/16/04